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ABSTRACT

Intended for use by cooperative education program coordinators, this module deals with the way in which the Michigan Youth Employment Standards Act (P.A. 90 of 1978, as amended) affects youth employed through vocational cooperative education programs in Michigan. The module, which is designed to be a self-paced instructional package, contains a pre-test, answer key, scoring instructions, a reinforcement exercise, case studies with appropriate answers, and additional agency and printed resources. (MN)

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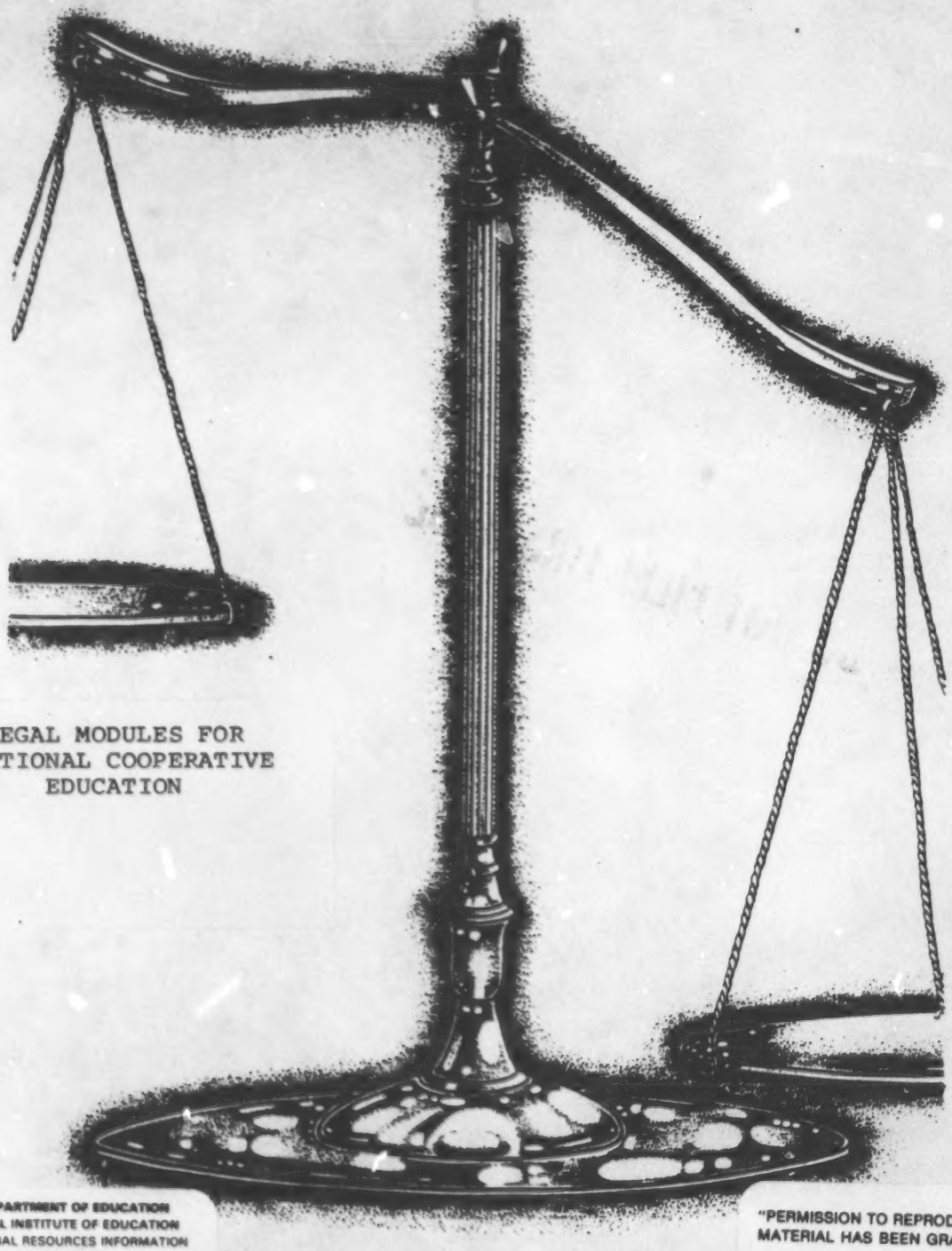
YOUTH EMPLOYMENT STANDARDS

Youth Employment Standards Act (P.A. 90 of 1978, As Amended)



LEGAL MODULES FOR
VOCATIONAL COOPERATIVE
EDUCATION

CE 034 170

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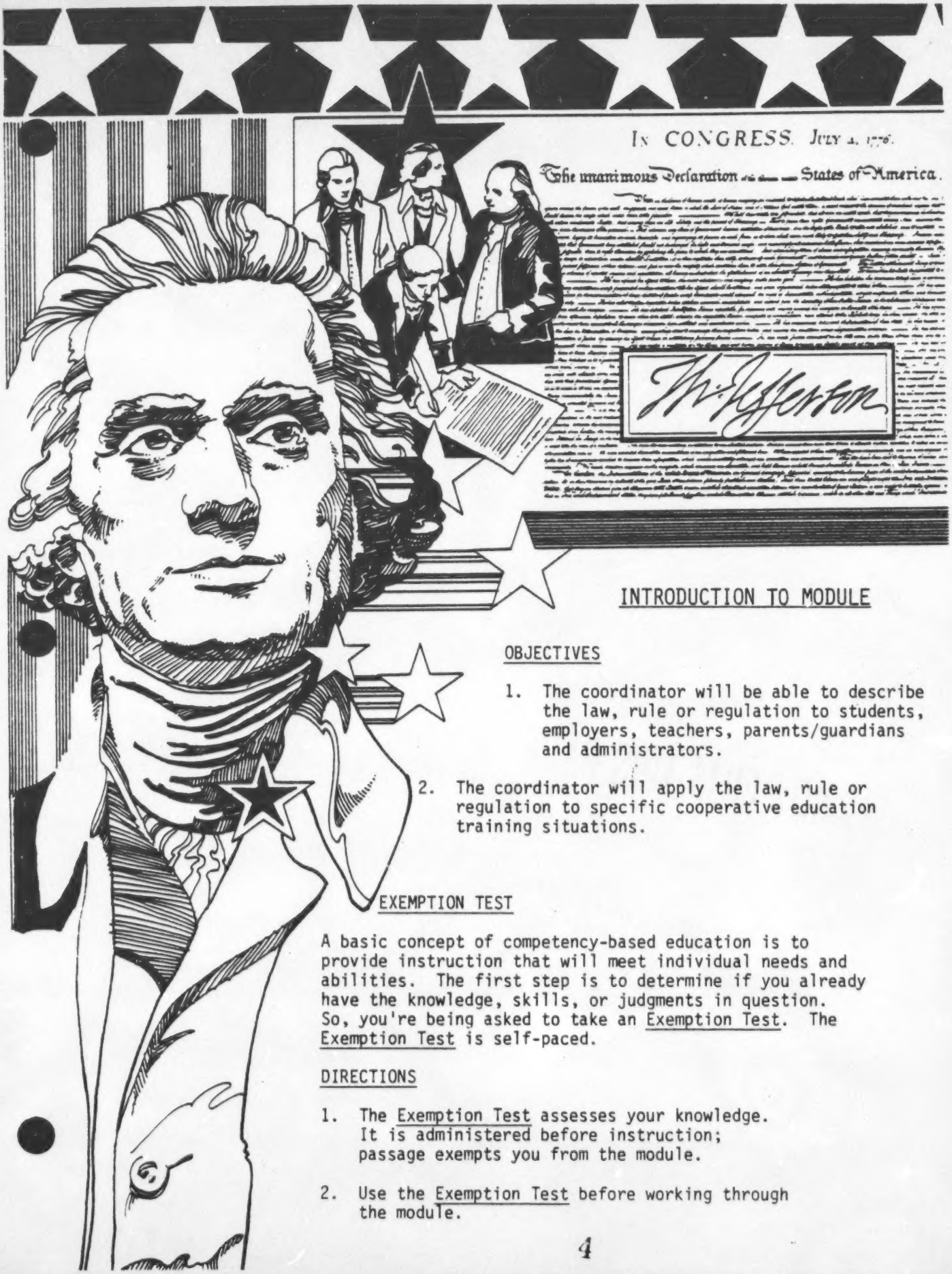
NOTE: This Module is not intended to serve as an in-depth or legally definitive analysis concerning the law, rule or regulation discussed. It does, however, represent an overview and an administrative opinion of the writers and may be subject to change or further clarification.



INTRODUCTION TO MODULE

OBJECTIVES

1. The coordinator will be able to describe the law, rule or regulation to students, employers, teachers, parents/guardians and administrators.

2. The coordinator will apply the law, rule or regulation to specific cooperative education training situations.

EXEMPTION TEST

A basic concept of competency-based education is to provide instruction that will meet individual needs and abilities. The first step is to determine if you already have the knowledge, skills, or judgments in question. So, you're being asked to take an Exemption Test. The Exemption Test is self-paced.

DIRECTIONS

1. The Exemption Test assesses your knowledge. It is administered before instruction; passage exempts you from the module.

2. Use the Exemption Test before working through the module.

EXEMPTION TEST

Directions: Read the statement below and mark with an (X) those statements which are true in reference to the Youth Employment Standards Act (P.A. 90 of 1978, As Amended).

_____1. A minor is anyone under 18 years of age.

_____2. The minimum age for employment, except for specific exemptions is 14 years of age.

_____3. All minors are required to have a work permit or a training agreement before they can legally be employed.

_____4. The cooperative education coordinator, who is not employed during the summer, should assist the fall enrolled cooperative education student-learner in securing a work permit for summer employment.

_____5. Work permits may be revoked for poor school attendance that results in academic performance of the student at a level lower than that which preceded the minor's employment.

_____6. Golf caddies, age 11 or older, need work permits.

_____7. A minor of 16 years of age who has completed requirements for high school graduation is exempt from getting a work permit.

_____8. The State of Michigan Department of Labor enforces the Youth Employment Standards Act.

_____9. Employers are required to keep adequate time records for minors.

_____10. Work permits are issued by the Michigan Department of Labor.

EXEMPTION TEST

_____11. Work permits are required to be part of the student's permanent school record while the student is employed.

_____12. Cooperative education student-learners, 16-17 years of age, can work where alcoholic beverages are served and consumed if at least 50 percent of the total gross receipts are from food or other goods.

_____13. A cooperative education training agreement can take the place of a work permit.

_____14. Work permits are required for babysitting.

_____15. Work permits are required for a student working for his/her parents if the parent or guardian devotes substantially all of his/her time to the operation of their business.

_____16. The job title, fund raiser for a vocational student organization, needs a work permit.

_____17. The State of Michigan Form, "Application for Approval of Occupations for Minors" (L-52), must be completed before a student begins to work.

_____18. The issuing officer for work permits is the cooperative education coordinator or a person whom the cooperative education coordinator authorizes in writing to act on behalf of the coordinator.

_____19. A cooperative education student-learner must only have a combination of study/work which totals 48 hours in any one week.

ANSWER KEY

THE CORRECT ANSWERS FOR THE YOUTH EMPLOYMENT STANDARDS ACT ARE AS FOLLOWS:

_____1. True

_____2. True

_____3. False. Minors under certain exemptions do not need work permits (i.e. emancipated minors, minors employed by parents, etc.)

_____4. True

_____5. True

_____6. True

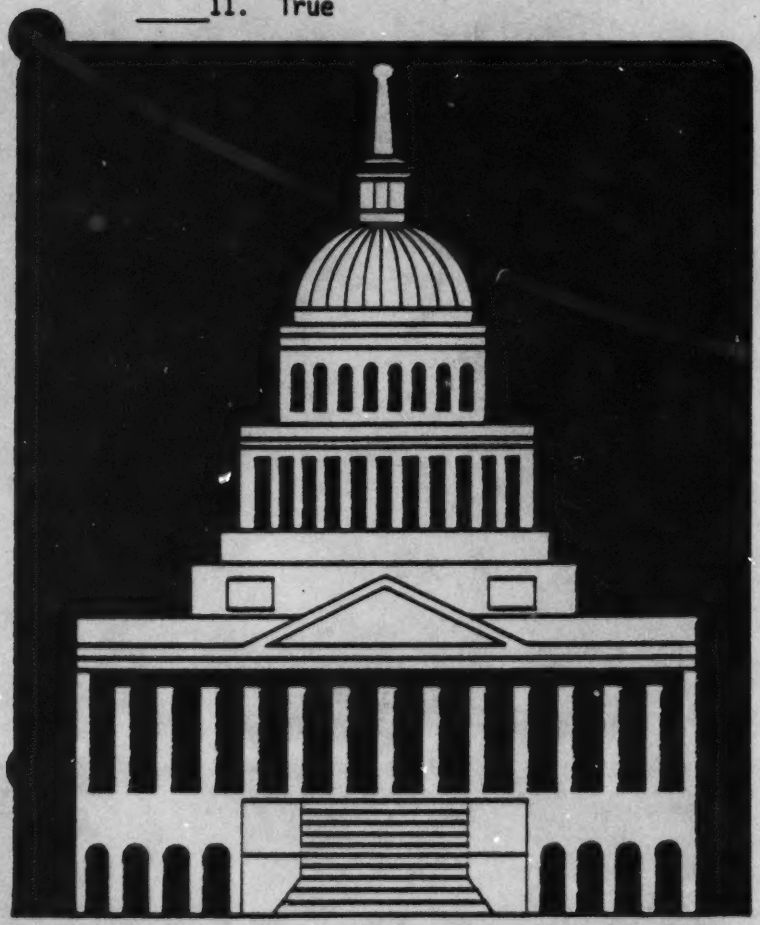
_____7. True

_____8. True

_____9. True

_____10. False. Work permits are issued by local school district issuing officers.

_____11. True



_____12. True

_____13. True

_____14. False. Work permits are not required for babysitting.

_____15. False. Minors working for parents and/or guardians are exempt from obtaining a work permit.

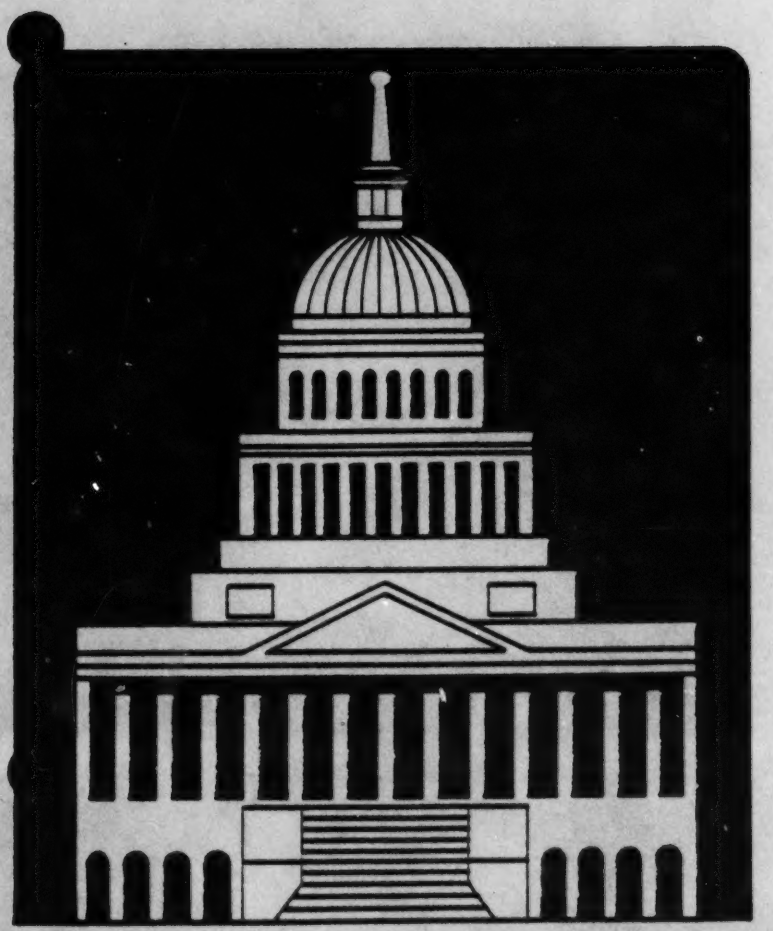
_____16. False. Services performed as members of recognized youth oriented organizations do not need work permits.

_____17. False. Because non-hazardous occupations do not require an Application for Approval of Occupations for Minors, (L-52). However, an employer of potentially hazardous employment situations must complete the L-52 before a work permit can be issued.

ANSWER KEY

_____18. False. By law the school superintendent must authorize in writing the issuing officer.

_____19. False. Cooperative education students are exempted from P.A. 90. Therefore hours per week are established jointly by the coordinator, student, parent/guardian and employer.



SCORING INSTRUCTIONS

18-19 Correct.....You know the Michigan Youth Employment Standards Act.

16-17 Correct.....You have excellent knowledge about the Youth Employment Standards Act, but you may want to read the next section: Acquiring Knowledge about the Michigan Youth Employment Standards Act.

13-15 Correct.....You did fairly well, you should read more about the Michigan Youth Employment Standards Act.

0-12 Correct.....Read on, you must learn more about the Michigan Youth Employment Standards Act.

REINFORCEMENT EXERCISE

DIRECTIONS: Read and answer the questions and compare your answer with the response given on the left hand margin. Place a blank sheet of paper over the left hand margin. Good luck.

ACQUIRING KNOWLEDGE ABOUT THE YOUTH EMPLOYMENT STANDARDS ACT

ANSWERS	
A	1. A minor may not be employed in an occupation regulated by the Youth Employment Standards Act until a work permit is in the possession of? A. The employer B. The minor C. The cooperative education coordinator
A	2. A work permit is issued by? A. An issuing officer B. The employer C. A parent/guardian
C	3. When terminating a minor, the employer must return the work permit to? A. The minor B. The parents/guardians C. The issuing officer
C	4. The minimum age for employment of a minor, without a specific exemption, is? A. 15 years, except that a minor of 11 years of age or older may be employed as a golf caddy B. 16 years, except that a minor of 11 years of age or older may be employed as a golf caddy C. 14 years, except that a minor of 11 years of age or older may be employed as a golf caddy
A	5. The State of Michigan Youth Employment Standards Act took effect on? A. June 1, 1978 B. June 1, 1980 C. June 1, 1976

ACQUIRING KNOWLEDGE ABOUT THE YOUTH EMPLOYMENT STANDARDS ACT

ANSWERS	
B	6. Why may a work permit be revoked? A. When the minor fails to show up for work B. When the minor has poor school attendance which results in lower grades C. When the minor quits the job
C	7. After 5 hours of continuous work, a minor must be allowed a break for a meal and rest period of? A. At least 1 hour B. At least 15 minutes C. At least 30 minutes
C	8. What is the maximum number of hours per week that a minor, without previously approved deviations from the Department of Labor, and not employed through a cooperative training agreement, can attend school and work? A. 40 hours B. 36 hours C. 48 hours
D	9. Proof of age, as required by the Youth Employment Standards Act, can be established by which of the following? A. A birth certificate B. A valid operator's license C. The school record D. All of the above

ACQUIRING KNOWLEDGE ABOUT THE YOUTH EMPLOYMENT STANDARDS ACT

ANSWERS

F

10. The Youth Employment Standards Act prohibits a minor from engaging in?

    A. Domestic work and chores in connection with private residences
    B. Soliciting, distributing, selling, or offering for sale newspapers, magazines, periodicals, political, or advertising matter
    C. Shoe shining
    D. Employment by a school in which the student minor is enrolled
    E. All of the above
    F. None of the above

B

11. The Application for Approval of Occupations for Minors is required for which of the following?

    A. Routine occupations
    B. Non-routine potentially hazardous occupations
    C. Prohibited hazardous occupations

A

12. Minors, without special deviations and employed on a work permit, may work no more than?

    A. A weekly average of 8 hours a day, 6 days a week, 10 hours a day, 48 hours a week, school and work combined
    B. A weekly average of 6 hours a day, 6 days a week, 10 hours a day, 48 hours a week, school and work combined
    C. A weekly average of 8 hours a day, 6 days a week, 8 hours a day, 48 hours a week, school and work combined.

B

13. Sixteen-seventeen year olds, without previously approved Department of Labor deviations, may work between ?

    A. 6 a.m. and 11:00 p.m.
    B. 6 a.m. and 10:30 p.m.
    C. 6 a.m. and 10:00 p.m.

ACQUIRING KNOWLEDGE ABOUT THE YOUTH EMPLOYMENT STANDARDS ACT

ANSWERS

C 14. Fourteen-fifteen year olds, without previously approved Department of Labor deviations, may work between?

A. 7 a.m. and 10:00 p.m.
B. 7 a.m. and 9:30 p.m.
C. 7 a.m. and 9:00 p.m.

C 15. Fourteen-fifteen year olds, without previously approved Department of Labor deviations, may not lift over?

A. 25 pounds
B. 30 pounds
C. 35 pounds

C 16. When not regularly attending school, 16-17 year olds may work until?

A. 10:30 p.m.
B. 11:00 p.m.
C. 11:30 p.m.

C 17. Sixteen and seventeen year old minors may not work until 11:30 p.m. on weekends from September through June without a special deviation from?

A. The cooperative education coordinator
B. The principal
C. The Department of Labor

C 18. Check which of the following that are routine non-hazardous occupations for minors under 18?

A. Sandblasting
B. Tanning industry occupations
C. Guide
D. Motion picture projectionist
E. Sawmill/logging occupations
F. 15 year old pin setter in a bowling alley
G. C and D

ACQUIRING KNOWLEDGE ABOUT THE YOUTH EMPLOYMENT STANDARDS ACT

ANSWERS

D

19. An emancipated minor is?

A. A married minor
B. A 17 year old minor who is a high school graduate
C. When a court orders an emancipation
D. A & C

C

20. Violations of the Youth Employment Standards Act could be a?

A. Misdemeanor
B. Felony
C. A & B

You be the judge...

CASE STUDIES

1. As a cooperative education coordinator you are asked by an employer if Betty Rodriquez, a 17 year old student-learner in your cooperative education program, can work as a ski lift operator. Please explain your "yes" or "no" answer.
   Carl Woloszyk/Jack Humbert

2. Mary Anne Greenwood, a cooperative education student-learner, wants to work with electrical machinery. As a coordinator you find a factory that is willing to employ Mary Anne as a kick press operator. The kick press is from your observation dangerous to operate. When you ask the employer about Mary Anne working on the kick press, she says, "It is o.k. with me if it is with you." Can Mary Anne work as a kick press operator? If so, what must the coordinator do?

3. Jim Iordache, a 16 year old student-learner in your cooperative education program is employed by his father. Jim's father is a major stockholder and full-time worker in this corporation. When you visit this training station, Jim's father asks, 1. Can I work Jim until midnight? 2. Can Jim use the slicing machine? What answers would you give to Jim's father?

4. Jerry Washington, a grocery store owner and cooperative education training sponsor, tells you that using a box cutter is hazardous. Therefore, Betty Chavez, a cooperative education student-learner needs a hazardous deviation? Do you agree with Jerry Washington?
   Jack Humbert/Carl Woloszyk

You be the judge...

5. Jimmy White Pigeon is a cooperative education student-learner in the X-Ray Department of a hospital. Job duties center on x-ray film developing, answering phones, filing. With the duty of x-ray film developing the training agreement is written as follows: Jimmy is not to be exposed to any ionizing or radioactive materials at any time. Do you agree with the training agreement? Explain your answer.

6. One of your training stations calls you with an urgent request. This training station, a restaurant with a valid liquor license to serve alcoholic beverages, employs 14-15 year olds in the kitchen. The urgent request you receive is: Can I continue to employ the 14-15 year olds in the kitchen as dishwashers? Your answer would be?

7. A large department store consisting of 10 stores employs minors 14-15 years of age to sell merchandise on the first through ninth floors. On the tenth floor there is a restaurant which has been issued a valid liquor license to serve alcoholic beverages. The personnel manager asks you if the 14-15 year olds can continue to be employed as sales persons?

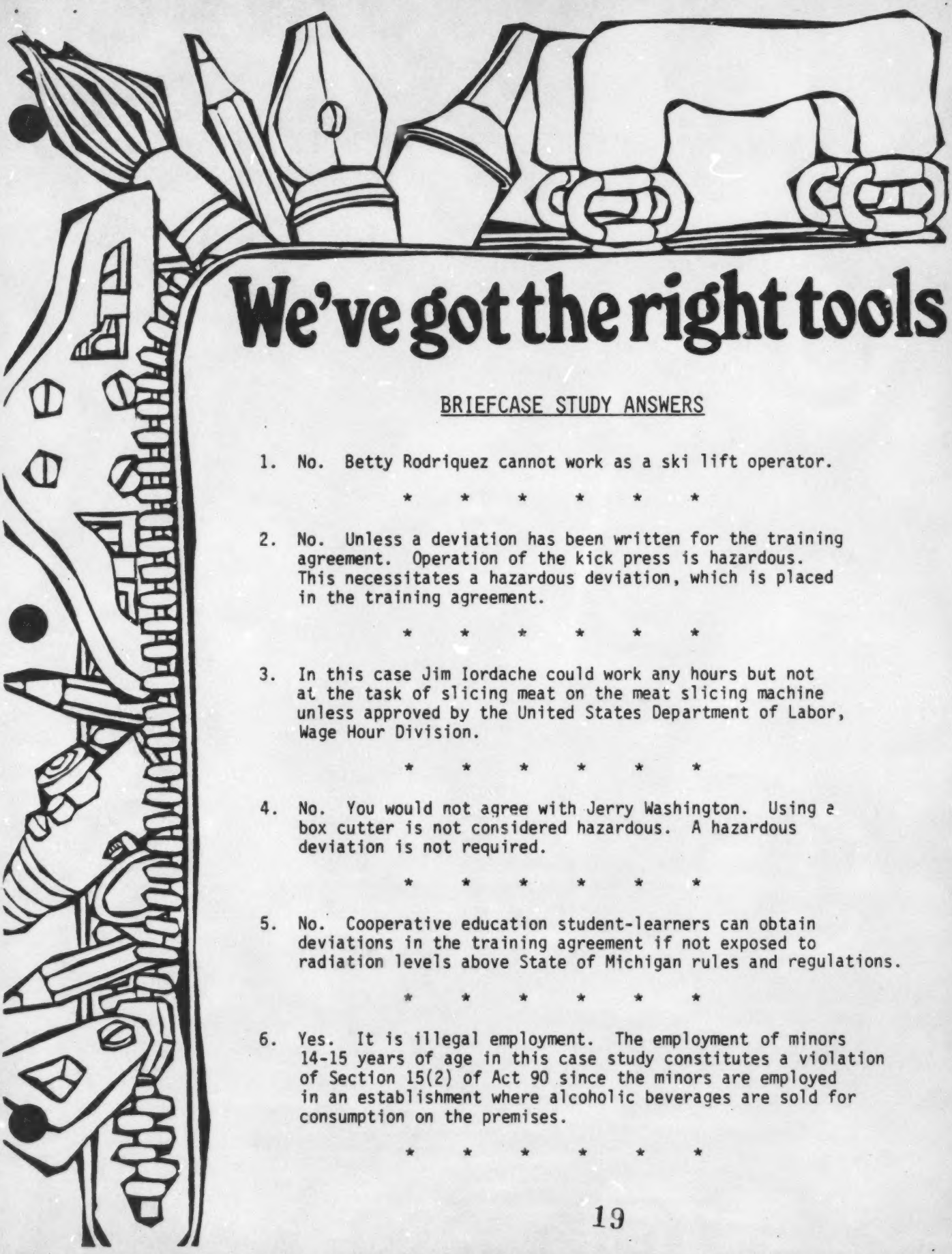
8. A large department store containing a restaurant which has been issued a valid liquor license employs minors 14-15 years of age to bus tables in the restaurant. The restaurant manager asks you if this is in compliance to State of Michigan laws. Your answer would be?

You be the judge...

9. One of your cooperative education training stations is a grocery store, Michigan Grocery, that has been issued a valid liquor license. Michigan Grocery sells about 60% food and 40% liquor. The store manager, Maxine James, asks you if he can continue to employ a 17 year old cooperative education student who stocks shelves and performs custodial duties. How would you answer this employer's request for information?

10. At a May meeting in your school for cooperative education students who will begin co-op in the fall, the following question is asked: What, if anything, must a beginning cooperative education student do if they get employment during the summer months? What answer would you give?

Carl Woloszyk/Jack Humbert



We've got the right tools

BRIEFCASE STUDY ANSWERS

1. No. Betty Rodriquez cannot work as a ski lift operator.

* * * * * *

2. No. Unless a deviation has been written for the training agreement. Operation of the kick press is hazardous. This necessitates a hazardous deviation, which is placed in the training agreement.

* * * * * *

3. In this case Jim Iordache could work any hours but not at the task of slicing meat on the meat slicing machine unless approved by the United States Department of Labor, Wage Hour Division.

* * * * * *

4. No. You would not agree with Jerry Washington. Using a box cutter is not considered hazardous. A hazardous deviation is not required.

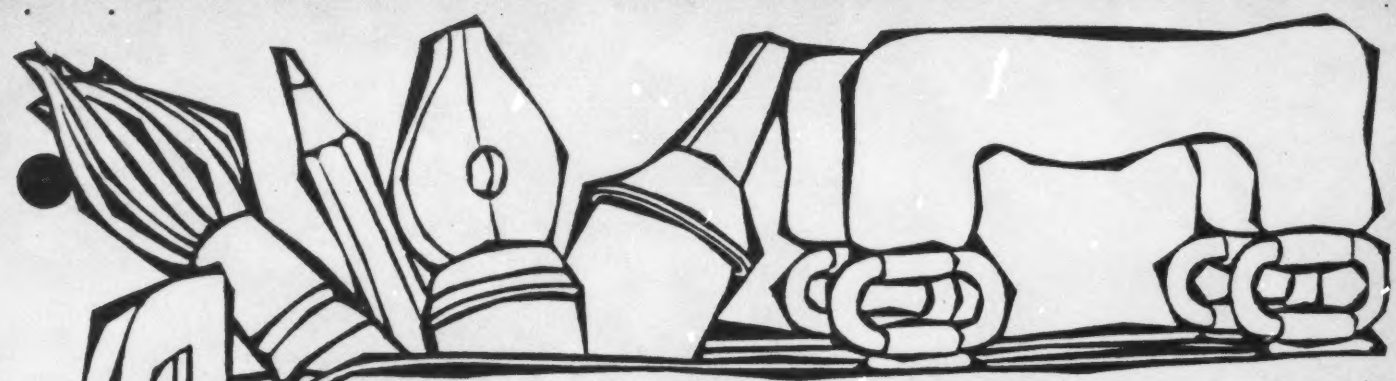
* * * * * *

5. No. Cooperative education student-learners can obtain deviations in the training agreement if not exposed to radiation levels above State of Michigan rules and regulations.

* * * * * *

6. Yes. It is illegal employment. The employment of minors 14-15 years of age in this case study constitutes a violation of Section 15(2) of Act 90 since the minors are employed in an establishment where alcoholic beverages are sold for consumption on the premises.

* * * * * *



We've got the right tools

7. Yes. This is legal employment. The employment of minors 14-15 years of age to sell merchandise on the first through ninth floors does not constitute a violation of Section 15(2) of Act 90 since the minors are not employed in an establishment where alcoholic beverages are sold for consumption on the premises.

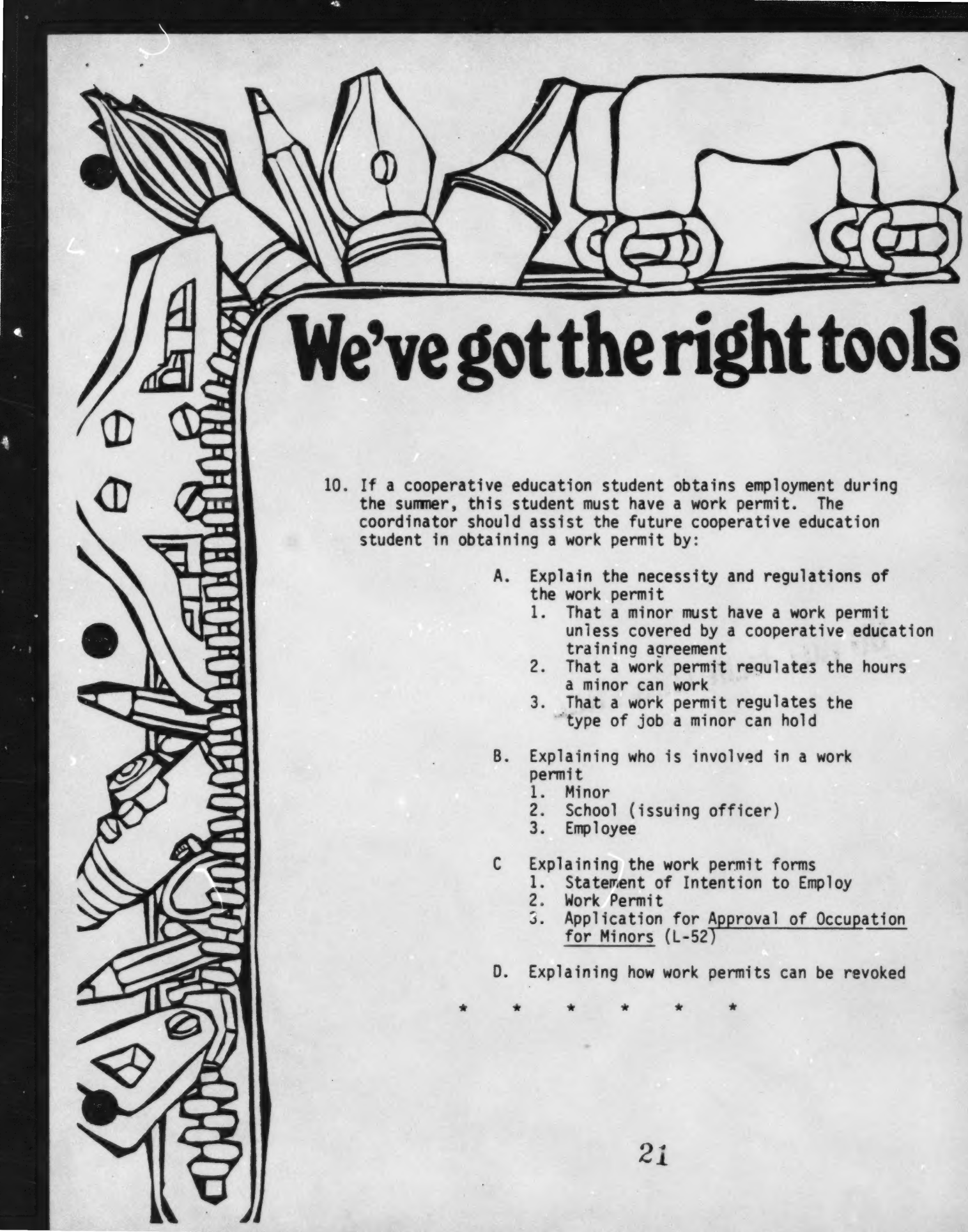
* * * * * *

8. No. It is illegal employment. The employment of minors 14-15 years of age to bus tables constitutes a violation of Section 15(2) of Act 90 since the minors are employed in an establishment where alcoholic beverages are sold for consumption on the premises.

* * * * * *

9. Yes. You can employ a 17 year old cooperative education student-learner. The employment of minors in this example does not constitute a violation of Section 15(2) of Act since the minor is employed in an establishment where alcoholic beverages are sold at retail and where the sale of food or other goods constitutes at least 50% of the total gross receipts.

* * * * * *



We've got the right tools

10. If a cooperative education student obtains employment during the summer, this student must have a work permit. The coordinator should assist the future cooperative education student in obtaining a work permit by:

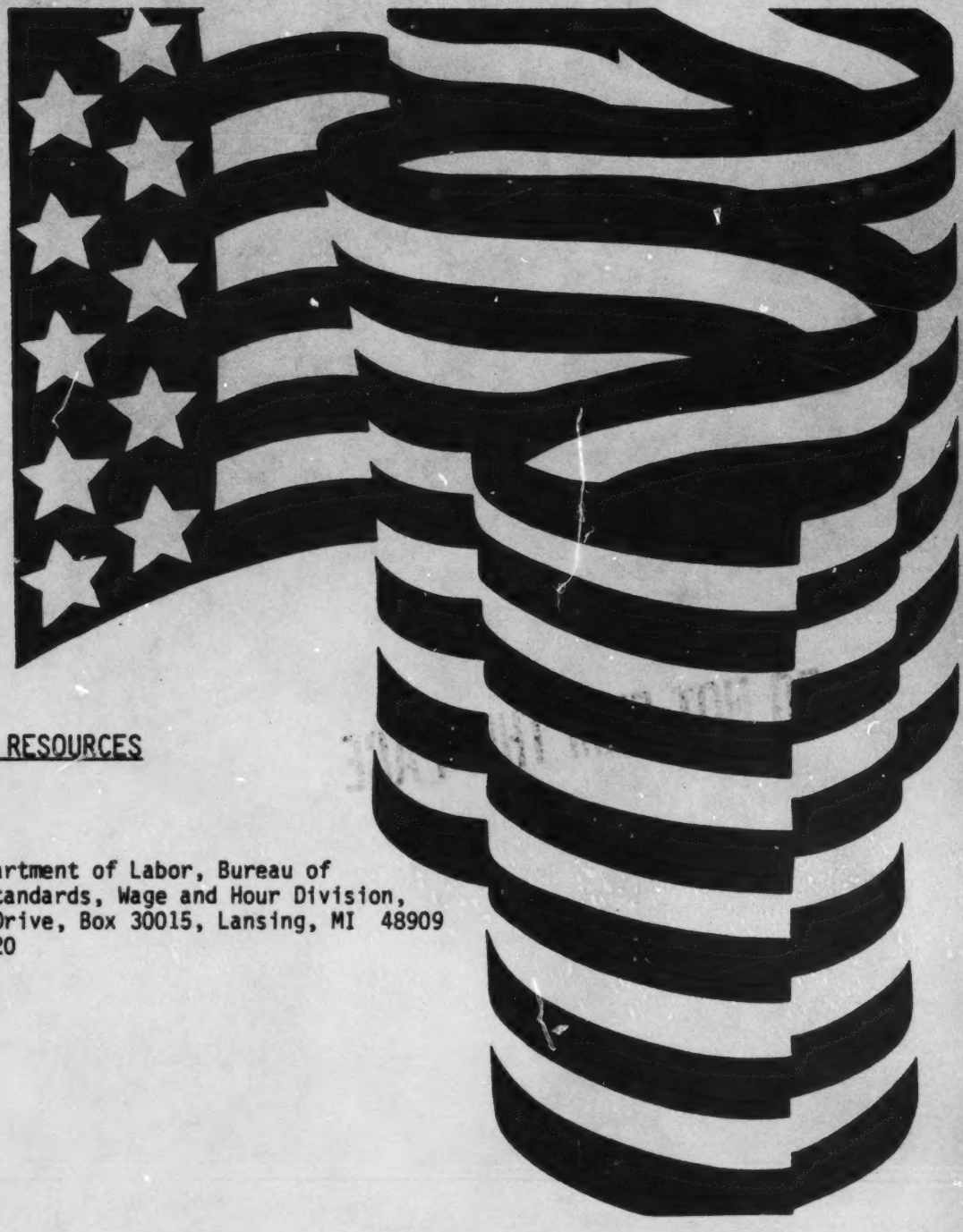
    A. Explain the necessity and regulations of the work permit
        1. That a minor must have a work permit unless covered by a cooperative education training agreement
        2. That a work permit regulates the hours a minor can work
        3. That a work permit regulates the type of job a minor can hold

    B. Explaining who is involved in a work permit
        1. Minor
        2. School (issuing officer)
        3. Employee

    C Explaining the work permit forms
        1. Statement of Intention to Employ
        2. Work Permit
        3. Application for Approval of Occupation for Minors (L-52)

    D. Explaining how work permits can be revoked

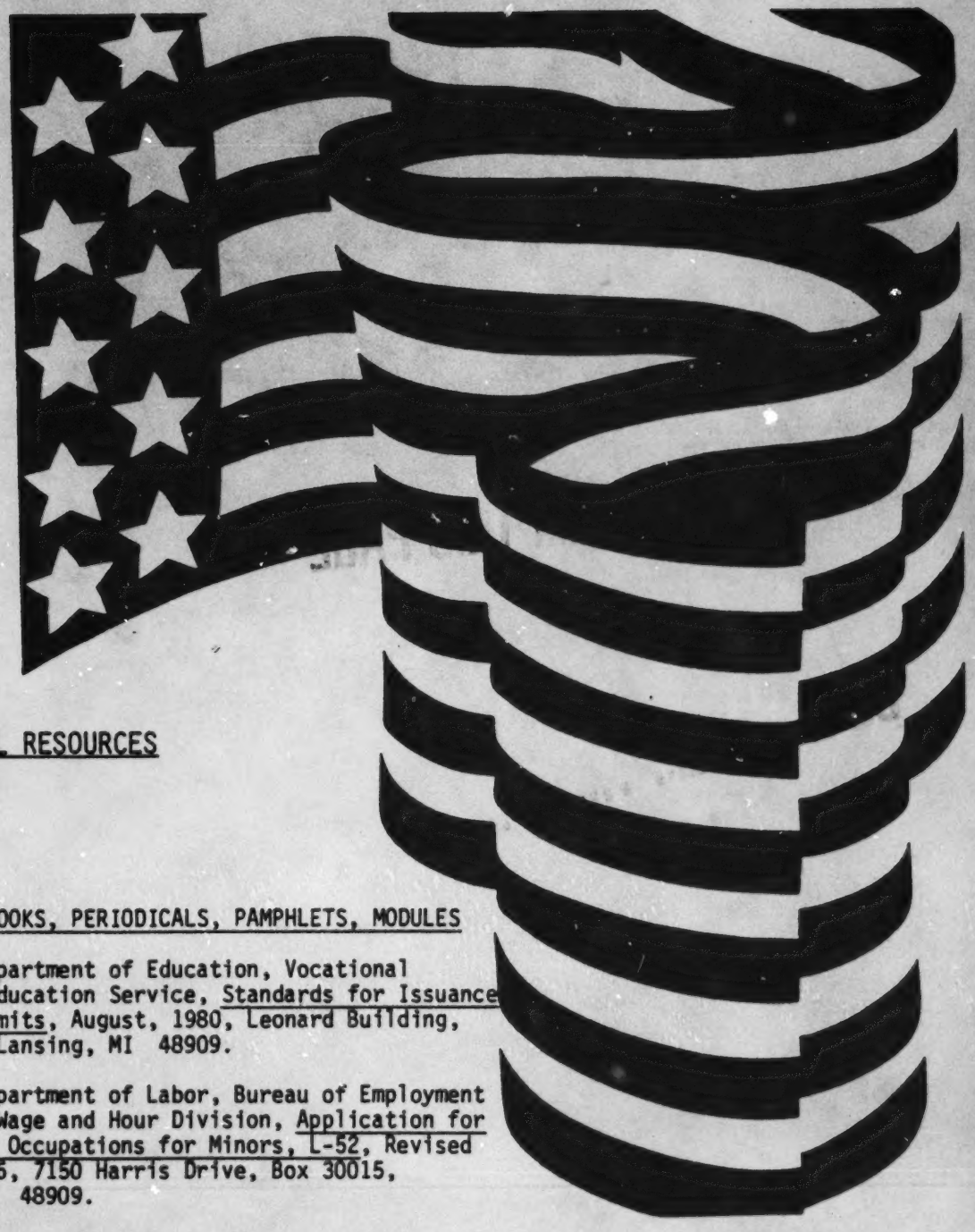
* * * * * *



ADDITIONAL RESOURCES

AGENCIES

Michigan Department of Labor, Bureau of
Employment Standards, Wage and Hour Division,
7150 Harris Drive, Box 30015, Lansing, MI 48909
(517) 322-1820



ADDITIONAL RESOURCES

REFERENCE BOOKS, PERIODICALS, PAMPHLETS, MODULES

Michigan Department of Education, Vocational Technical Education Service, Standards for Issuance of Work Permits, August, 1980, Leonard Building, Box 30009, Lansing, MI 48909.

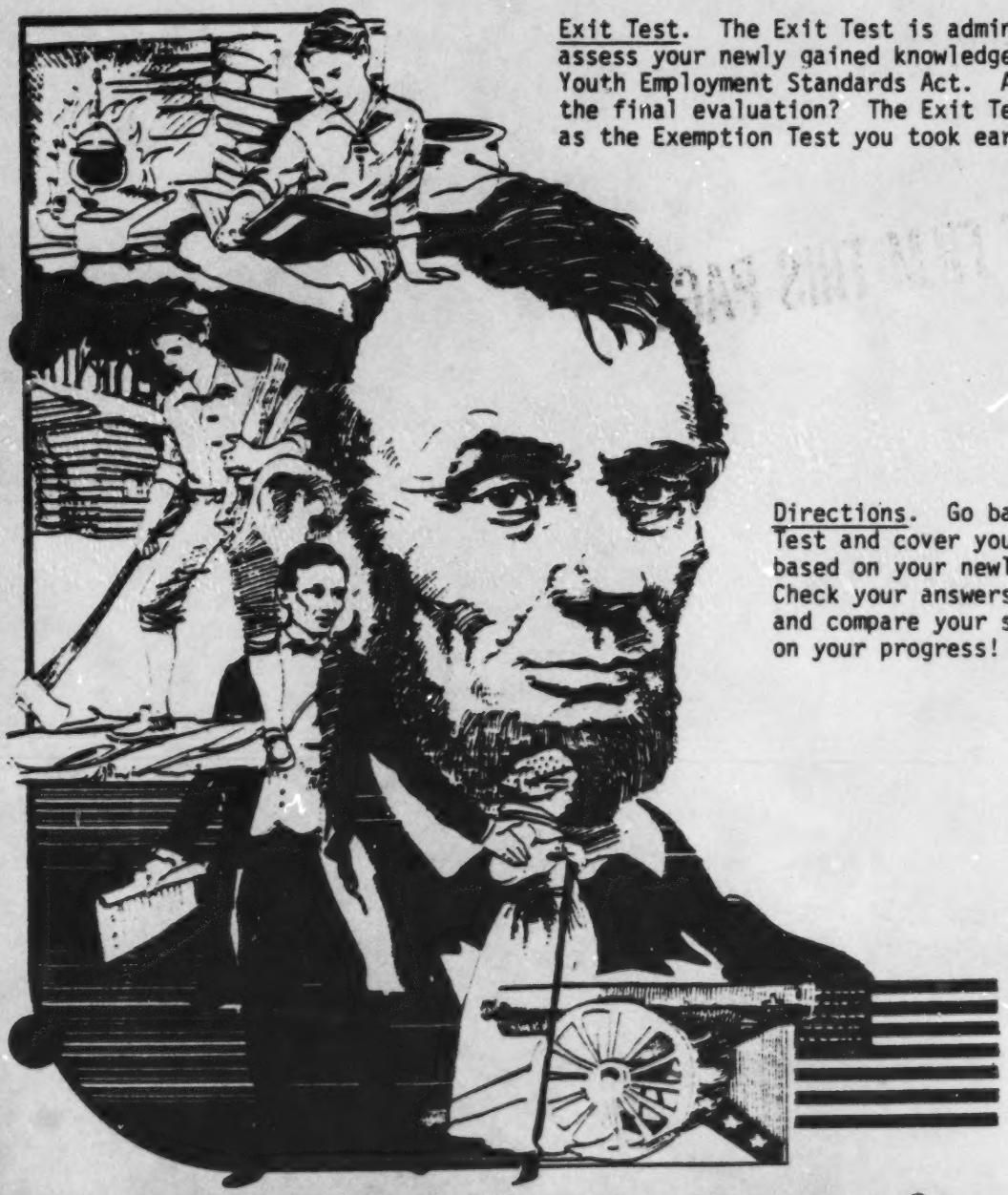
Michigan Department of Labor, Bureau of Employment Standards, Wage and Hour Division, Application for Approval of Occupations for Minors, L-52, Revised August, 1976, 7150 Harris Drive, Box 30015, Lansing, MI 48909.

Michigan Department of Labor, Bureau of Employment Standards, Wage and Hour Divison, Lists of Prohibited Work, 7150 Harris Drive, Box 30015, Lansing, MI 48909.

Michigan Department of Labor, Bureau of Employment Standards, Wage and Hour Division, Youth Employment Standards Act, Act 90, Public Acts of 1978, 7150 Harris Drive, Box 30015, Lansing, MI 48909.

EXIT TEST

YOUTH EMPLOYMENT STANDARDS ACT (P.A. 90 of 1978, As Amended)



Exit Test. The Exit Test is administered to assess your newly gained knowledge about the Youth Employment Standards Act. Are you ready for the final evaluation? The Exit Test is the same as the Exemption Test you took earlier. Good Luck.

Directions. Go back to the Exemption Test and cover your original answers based on your newly acquired knowledge. Check your answers with the Answer Key and compare your scores. Congratulations on your progress!

MICHIGAN STATE BOARD OF EDUCATION

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